

EXHIBIT A

January 27, 2025

VIA FIRST CLASS MAIL

Acting U.S. Attorney General James R. McHenry III
Office of the Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530-0001

FIRM / AFFILIATE OFFICES

| | |
|--------------|------------------|
| Austin | Milan |
| Beijing | Munich |
| Boston | New York |
| Brussels | Orange County |
| Century City | Paris |
| Chicago | Riyadh |
| Dubai | San Diego |
| Düsseldorf | San Francisco |
| Frankfurt | Seoul |
| Hamburg | Silicon Valley |
| Hong Kong | Singapore |
| Houston | Tel Aviv |
| London | Tokyo |
| Los Angeles | Washington, D.C. |
| Madrid | |

The Honorable State Attorneys General
on the Enclosed Service List

Re: Notice of Proposed Class Action Settlement Pursuant to 28 U.S.C. § 1715
In re Aimmune Therapeutics, Inc. Securities Litigation, Case No. 3:20-CV-06733-MMC

To Whom It May Concern:

We represent Defendants Aimmune Therapeutics, Inc. (“Aimmune” or the “Company”) and Jayson D.A. Dallas (collectively, “Defendants”) regarding the proposed class action settlement (the “Settlement”) in the action captioned *In re Aimmune Therapeutics, Inc. Securities Litigation*, Case No. 3:20-CV-06733-MMC (the “Action”), pending in the U.S. District Court for the Northern District of California (the “District Court”). In compliance with the Class Action Fairness Act of 2005, 28 U.S.C. § 1715 (“CAFA”), Defendants hereby provide this notice of the proposed class action settlement in this lawsuit.

The Action is a securities class action brought on behalf of all record holders and beneficial holders of Aimmune common stock who, between September 14, 2020 through October 9, 2020, held such stock at any time during the pendency of the tender offer involving Aimmune and Société des Produits Nestlé S.A. (“Nestlé”) and had their shares exchanged for \$34.50 per share in connection with the closing of the merger on October 13, 2020 (the “Class”). Excluded from the Class are: (i) Nestlé and its affiliates; (ii) the officers and directors of the Company and members of their immediate families; (iii) any entity in which Defendants have or had a controlling interest; and (iv) the legal representatives, heirs, successors or assigns of each officer and director of the Company. Also excluded from the Settlement Class are any persons or entities who or which exclude themselves by submitting a request for exclusion that is accepted by the District Court.

On January 17, 2025, Class Representatives Bruce Svitak and Cecelia Pemberton (“Class Representatives” and, together with Co-Lead Plaintiff Barbara Svitak, “Plaintiffs”) on behalf of themselves and all members of the Class filed a Motion for Preliminary Approval Of Settlement, seeking an order to: (1) preliminarily approve the terms of the proposed Settlement; (2) approve the form and method for providing notice of the proposed Settlement and Final Approval Hearing to the Class; and (3) schedule a hearing for final approval of the Settlement. The proposed Settlement provides for the payment of \$27.5 million in cash for the benefit of the Class.

LATHAM & WATKINS LLP

The hearing for preliminary approval of the Settlement has been scheduled for February 28, 2025 at 9:00 a.m. before the Honorable Maxine M. Chesney in the U.S. District Court of the Northern District of California. *See Pls.’ Mot. Preliminary Approval of Settlement*, ECF No. 243. The District Court has not yet entered a final judgment or a notice of dismissal in the Action with respect to Plaintiffs. The documents filed by the Class Representatives seeking approval of the Settlement include a Proposed Final Judgment (ECF No. 244-1, Ex. B). Any further filings in the above-captioned action will be posted on the electronic filing section of the website for the District Court, which can be accessed at the District Court docket in this case, for a fee, through the District Court’s Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, at 450 Golden Gate Avenue San Francisco, CA 94102. Additional information regarding the Settlement will be available on the website maintained by Class Representatives’ counsel and its claims administrator.

In compliance with CAFA, the following documents referenced below relating to the Settlement are included in the compact disc accompanying this letter:

1. Class Action Complaint, ECF No. 1.
2. Amended Class Action Complaint, ECF No. 52.
3. Plaintiffs’ Unopposed Motion for Preliminary Approval of Class Action Settlement and Incorporated Memorandum of Law, ECF No. 243.
4. Declaration of Juan E. Monteverde in Support of Plaintiffs’ Unopposed Motion for Preliminary Approval of Class Action Settlement, ECF No. 244, and all attached Exhibits, ECF No. 244-1 to 244-6.
5. Stipulation of Settlement, dated January 17, 2025, ECF No. 244-1, which includes:
 - (1) Ex. A, [Proposed] Order Preliminarily Approving Settlement and Providing for Notice;
 - (2) Ex. A-1, Notice of Pendency and Proposed Settlement of Class Action;
 - (3) Ex. A-2, Proof of Claim and Release;
 - (4) Ex. A-3, Summary Notice of Proposed Settlement of Class Action; and
 - (5) Ex. B, [Proposed] Final Judgment and Order of Dismissal with Prejudice.

Defendants have committed to assist Class Representatives’ counsel and the claims administrator with identifying members of the Class. It is not possible to estimate the proportionate share of the claims of members of the settlement Class in each state because the portion of the Settlement fund each Class member will receive depends on the number and nature of claims submitted by other Class members. The enclosed Notice describes the Plan of Allocation proposed by counsel for Plaintiffs’ and the Class, subject to District Court approval. See 28 U.S.C. § 1715(b)(7).

Defendants also advise you that the parties executed a Confidential Supplemental Agreement (“Supplemental Agreement”) contemporaneously with the execution of the Stipulation. The Supplemental Agreement sets forth certain conditions under which Defendants shall have the option to terminate the Settlement and render the Stipulation void. The parties have agreed to maintain the confidentiality of the Supplemental Agreement, which shall not be disclosed or filed unless required by the District Court. It is

LATHAM & WATKINS LLP

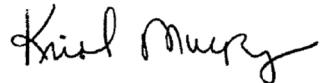
customary for agreements of this nature to remain confidential because, as explained by a leading treatise dealing with such matters, “[k]nowledge of the specific number of opt outs that will vitiate a settlement might encourage third parties to solicit class members to opt out.” Fed. Judicial. Ctr., Manual for Complex Litigation (4th ed.) § 21.631.

Any correspondence on the proposed Settlement should be sent no later than 90 days from the date of this letter to the Clerk of the Court at 450 Golden Gate Avenue, Box 36060, San Francisco, CA 94102-3489. Copies of any such correspondence should also be sent to the individuals listed below at the following addresses:

| <i>Counsel for Plaintiffs and Settlement Class</i> | <i>Counsel for Defendants</i> |
|--|---|
| Juan E. Monteverde MONTEVERDE & ASSOCIATES PC The Empire State Building 350 Fifth Avenue, Suite 4740 New York, New York 10118 Tel: (212) 971-1341 | Kristin N. Murphy LATHAM & WATKINS LLP 650 Town Center Drive, 20th Floor Costa Mesa, California 92626 Telephone: (714) 540-1235 |
| Michael Palestina KAHN SWICK & FOTI, LLC 1100 Poydras Street, Suite 960 New Orleans, LA 70163 Telephone: (504) 455-1400 | |

Please do not hesitate to contact me if you have any questions.

Respectfully,



Kristin N. Murphy
of LATHAM & WATKINS LLP

Enclosures

SERVICE LIST

Steve Marshall
Office of the Attorney General
State of Alabama
501 Washington Avenue
P.O. Box 300152
Montgomery, AL 36104

Tim Griffin
Office of the Attorney General
State of Arkansas
323 Center Street, Suite 200
Little Rock, AR 72201-2610

William Tong
Office of the Attorney General
State of Connecticut
AG.CAFA@CT.GOV

Ashley Moody
Office of the Attorney General
State of Florida
The Capital PL-01
Tallahassee, FL 32399-1050

Anne E. Lopez
Department of the Attorney General
State of Hawaii
425 Queen Street
Honolulu, HI 96813

Todd Rokita
Indiana Attorney General's Office
Indiana Government Center South
302 W. Washington St., 5th Floor
Indianapolis, IN 46204

Russell Coleman
Office of the Attorney General
Commonwealth of Kentucky
700 Capitol Avenue, Suite 118
Frankfort, KY 40601-3449

Anthony G. Brown
Office of the Attorney General
State of Maryland
200 St. Paul Place
Baltimore, MD 21202

Keith Ellison
Office of the Attorney General
State of Minnesota
445 Minnesota Street, Suite 1400
St. Paul, MN 55101

Treg Taylor
Attorney General
State of Alaska Department of Law
1031 West 4th Avenue, Suite 200
Anchorage, AK 99501-1994

CAFA Coordinator
Office of the Attorney General
Consumer Protection Section
455 Golden Gate Ave., Suite 11000
San Francisco, CA 94102

Kathy Jennings
Office of the Attorney General
Delaware Department of Justice
Carvel State Building
820 N. French Street
Wilmington, DE 19801

Christopher M. Carr
Office of the Attorney General
State of Georgia
40 Capitol Square, SW
Atlanta, GA 30334

Raúl Labrador
State of Idaho
Office of the Attorney General
700 W. Jefferson Street
P.O. Box 83720
Boise, ID 83720-0010

Brenna Bird
Office of the Attorney General of Iowa
Hoover State Office Building
1305 E. Walnut Street
Des Moines, IA 50319

Louisiana Attorney General's Office
Consumer Protection Section
1885 N. Third St., 4th Floor
Baton Rouge, LA 70802

Office of Massachusetts Attorney General
Andrea Joy Campbell
ATTN: CAFA Coordinator/General
Counsel's Office
One Ashburton Place
Boston, MA 02108

Lynn Fitch
Office of the Attorney General
State of Mississippi
PO Box 220
Jackson, MS 39205

Kris Mayes
Office of the Attorney General
State of Arizona
2005 N. Central Ave.
Phoenix, AZ 85004-2926

Phil Weiser
Office of the Attorney General
Colorado Department of Law
Ralph L. Carr Judicial Building
1300 Broadway, 10th Floor
Denver, CO 80203

Brian Schwalb
Office of the Attorney General
District of Columbia
400 6th Street NW
Washington, DC 20001

Douglas Moylan
Office of the Attorney General
ITC Building
590 S. Marine Corps Dr., Ste. 902
Tamuning, Guam 96913

Kwame Raoul
State of Illinois
Office of the Attorney General
500 South Second Street
Springfield, IL 62701

Kris Kobach
Office of the Attorney General
State of Kansas
120 SW 10th Ave., 2nd Floor
Topeka, KS 66612

Aaron Frey
Office of the Attorney General
State of Maine
6 State House Station
Augusta, ME 04333

Dana Nessel
Michigan Department of Attorney General
P.O. Box 30212
525 W. Ottawa Street
Lansing, MI 48909

Andrew Bailey
Office of the Attorney General
State of Missouri
207 W. High St.
P.O. Box 899
Jefferson City, MO 65102

Austin Knudsen
Office of the Attorney General
Montana Department of Justice
P.O. Box 201401
215 N. Sanders St.
Helena, MT 59601

John Formella
Office of the Attorney General
NH Department of Justice
1 Granite Place South
Concord, NH 03301

CAFA Coordinator
Office of the New York State Attorney
General
28 Liberty Street, 15th Floor
New York NY 10005

Dave Yost
Office of the Attorney General
State of Ohio
30 E. Broad St., 14th Floor
Columbus, OH 43215

Dave Sunday
Pennsylvania Office of Attorney General
16th Floor, Strawberry Square
Harrisburg, PA 17120

Edward Manibusan
Office of the Attorney General
Commonwealth of the Northern Mariana Islands
Administration Building
P.O. Box 10007
Saipan MP 96950-8907

Jonathan Skrmetti
Office of Attorney General and Reporter
State of Tennessee
P.O. Box 20207
Nashville, TN 37202-0207

Charity R. Clark
Office of Attorney General
State of Vermont
109 State Street
Montpelier, VT 05609-1001

Nick Brown
Office of Attorney General
State of Washington
1125 Washington Street SE
P.O. Box 40100
Olympia, WA 98504

Mike Hilgers
Nebraska Attorney General's Office
PO Box 98290
2115 State Capitol
Lincoln, NE 68509-8920

Matthew J. Platkin
Office of the Attorney General
Richard J. Hughes Justice Complex
25 Market Street
PO Box 080
Trenton, NJ 08625-0080

Jeff Jackson
Office of the Attorney General
State of North Carolina
9001 Mail Service Center
Raleigh, NC 27699-9001

Gentner Drummond
Office of the Attorney General
State of Oklahoma
313 NE 21st Street
Oklahoma City, OK 73105

Domingo Emanuelli Hernández
Secretary of Justice
Puerto Rico Department of Justice
P.O. Box 9020192
San Juan, PR 00902-0192

Alan Wilson
Office of Attorney General
State of South Carolina
PO Box 11549
Columbia, SC 29211

Ken Paxton
Office of Attorney General
State of Texas
P.O. Box 12548
Austin, TX 78711-2548

Gordon C. Rhea
Office of Attorney General
Department of Justice
3438 Kronprindsens Gade
GERS Building, 2nd Floor
St. Thomas, VI 00802

John B. McCuskey
Office of Attorney General
State of West Virginia
State Capitol Complex, Bldg 1, R E-26
1900 Kanawha Blvd. E.
Charleston, WV 25305

CAFA Coordinator
Office of the Nevada Attorney General
Bureau of Consumer Protection
100 N. Carson Street
Carson City, NV 89701

Raul Torrez
Office of the Attorney General
408 Galisteo Street
Villagra Building
Santa Fe, NM 87501

Drew Wrigley
Office of the Attorney General
State of North Dakota
600 East Boulevard Avenue
Department 125
Bismarck, ND 58505-0040

Dan Rayfield
Office of the Attorney General
Oregon Department of Justice
1162 Court St. NE
Salem, OR 97301-4096

Peter F. Neronha
Office of Attorney General
State of Rhode Island
150 South Main Street
Providence, RI 02903

Marty Jackley
Office of Attorney General
State of South Dakota
1302 E Hwy 14, Suite 1
Pierre, SD 57501-8501

Derek Brown
Office of Attorney General
Utah State Capitol Complex
350 North State Street, Suite 230
Salt Lake City, UT 84114-2320

Jason Miyares
Office of Attorney General
Commonwealth of Virginia
202 North Ninth Street
Richmond, VA 23219

Josh Kaul
Office of Attorney General
Wisconsin Department of Justice
P.O. Box 7857
Madison, WI 53707-7857

Bridget Hill
Office of Attorney General
State of Wyoming
Kendrick Building
2320 Capitol Avenue
Cheyenne, WY 82002

Fainu'ulelei Falefatu Ala'ilima-Utu
Department of Legal Affairs
Office of the Attorney General
Executive Office Bldg., 3rd Floor
P.O. Box 7
Pago Pago, AS 96799

Acting Attorney General,
James R. McHenry III
Office of the Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530-0001